

JUL 31 2007

PATENT
Serial No. 09/532,755**REMARKS**

The applicants have reviewed the advisory action dated July 13, 2007, and the references cited therein. Claims 11-14, 16-19, 26-43, 45, 46, 49-52 and 59-64 remain pending in this application. In the official action dated May 1, 2007, the examiner maintained the restriction requirement as proper and final. The applicants had previously elected claims 11-14 and 16-19 and, thus, claims 26-43, 45, 46, 49-52 and 59-64 are withdrawn from consideration. In view of the foregoing amendments and the following remarks, the applicants respectfully submit that the pending claims are in condition for allowance.

As an initial matter, the applicants maintain their traversal of the restriction requirement for at least the reasons set forth in a previous response filed on January 24, 2007. Accordingly, the applicants reserve their rights to petition the restriction requirement in this application.

Claims 11-14 and 16-19 were rejected as unpatentable over Zigmond et al. (US 6,698,020) in view of Knee et al. (US 2002/0095676). In the official action dated May 1, 2007, the examiner asserted that while Zigmond et al. fail to describe calculating a similarity score, Knee et al. describe comparing a user selection history and advertisement attribute information to calculate a similarity score. The advisory action dated July 13, 2007, reiterates this position. However, Knee et al. describe a system that attempts to determine a demographic profile of each user, thereby allowing an advertiser to focus on target demographic groups. *See*, Knee et al., paragraphs [0008] and [0032]. In fact, Knee et al. do not describe any comparison involving a viewing profile containing program attribute information.

More specifically, claim 14 of the present application recites a user viewing profile that includes program attribute information, and calculating a similarity score based on a comparison between advertisement attribute information and the program attribute information of the user

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viewing profile. In contrast, Knee et al. describe a system that uses demographic profiles rather than a user viewing profile as recited in claim 14. A user viewing profile is remarkably different than a demographic profile. For example, a demographic profile may include an income level, age, or gender. *See*, Knee et al., paragraph [0031]. On the other hand, a user viewing profile may contain information regarding the programs being watched or selected by a user, regardless of the user's demographic characteristics. More generally, the demographic profiles of Knee et al. include information about a person, while the user viewing profiles of the present application include information about television programs.

Further, the applicants re-assert the argument of their response to the office action dated May 1, 2007. Specifically, the official action dated March 25, 2004, states that Knee et al. fail to describe "storing information having a similarity score greater than a predetermined threshold similarity score and discarding information having a similarity score less than or equal to the predetermined threshold similarity score." *See*, the official action dated March 25, 2004, page 6. In addition, the official action dated May 1, 2007, and the advisory action dated July 13, 2007, state that Zigmond et al. fail "to specifically disclose calculating a similarity score..., discarding advertisements having a similarity score less than or equal to the threshold and displaying the advertisements based upon the similarity scores." *See*, the official action dated May 1, 2007, page 4; the advisory action dated July 13, 2007, page 2. Because claim 14 of the present application recites "discarding advertisements having a similarity score less than or equal to a predetermined threshold similarity score, the applicants submit that no combination of Zigmond et al. and Knee et al. can render claim 14 obvious.

The advisory action cites paragraph [0032] of Knee et al. as a describing a threshold value to be met. However, the contents of paragraph [0032] further demonstrate the differences

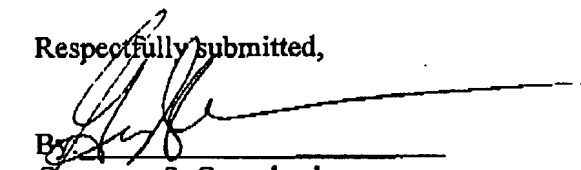
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between the system of Knee et al. and the claims of the present application. Paragraph [0032] states that if a certain user does not fit in a demographic category, the current advertisement is not displayed. Such an action is immaterial to a comparison of similarity scores to a threshold similarity value comprised of program and advertisement attribute information, as recited in the present application. Again, as shown by how the different profiles are utilized, Knee et al. is directed to determining the characteristics of a person (i.e., a demographic profile), while the present application is directed to determining aspects of programming viewed by a person (i.e., a user viewing profile).

Because neither Knee et al. nor Zigmond et al. describe or suggest calculating or utilizing a similarity score based on program attribute information of a user viewing profile, no combination of the cited art can support an obviousness rejection under §103(a). Accordingly, the obviousness rejections of claims 14 and all claims dependent thereon must be withdrawn and these claims are in condition for allowance.

The Commissioner is hereby authorized to refund any overpayment and charge any deficiency in the amount enclosed or any additional fees which may be required during the pendency of this application under 37 CFR 1.16 or 1.17 to Deposit Account No. 50-0383. A copy of this paper is enclosed.

Respectfully submitted,


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